

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

Before:

The Hon'ble Mr. Justice Jay Sengupta

C.R.R. 1363 of 2025

CRAN 1 of 2025

Sri Hridoy Barman

Vs.

The State of West Bengal & Anr.

For the Petitioner	:	Mr. Pawan Kumar Gupta, Mr. Biswarup Paine, Ms. Sofia Nesar.
For the State	:	Mr. Ranabir Ray Chowdhury, Ms. Kanchan Roy.
For the OP No.2	:	Mr. Krishan Ray, Mr. Santanu Seth.
Heard on	:	08.07.2025
Judgement on	:	08.07.2025

Jay Sengupta, J. :

1. This is an application for quashing of criminal proceedings being Bongaon Police Station Case No.286 of 2023 dated 23.03.2023 under Sections 417 and 376 of the Indian Penal Code corresponding to G.R. Case No.742 of 2023.

2. Learned counsel appearing on behalf of the petitioners submits as follows. Initially, it was alleged by the de facto complainant/opposite party that the petitioner had developed a relationship with her, but refused to marry her. It was

an admitted position that the lady was married. However, during continuation of the proceeding, a compromise and settlement was arrived at between the parties of all disputes that had led to the initiation of the criminal proceeding. As such, the impugned proceeding should be quashed on the ground of compromise. Reliance is placed on a decision of the Hon'ble Apex Court rendered in ***Kapil Gupta Vs. The State of NCT of Delhi & Anr.*** in Criminal Appeal No.1217 of 2022, judgment and order passed by this Court in ***Somnath Banerjee Vs. The State of West Bengal & Anr.*** in CRR 1388 of 2021 and in ***Dinesh Kumar Patel Vs. State of West Bengal & Anr.*** passed in CRR 89 of 2021.

3. Learned counsel appearing on behalf of the de facto complainant/opposite party supports the contentions of the petitioner and submits that the two had parted ways some time ago and a settlement has been arrived at between the parties. The de facto complainant does not want to proceed with the matter and as such, the impugned proceeding may be quashed on the ground of compromise.

4. Learned counsel appearing on behalf of the State relies on the case diary and submits that the State would not come in the way, if a settlement is arrived at between the private parties.

5. It is an admitted position that the petitioner and the de facto complainant/opposite party had entered into a relationship when a marriage subsisted between the lady and another. The relationship continued for some time and the two went to different places together.

6. On the above-referred facts, it would have been difficult to sustain the prosecution case.

7. However, it further appears that the settlement has been arrived at between the parties. Subsequently, the lady made a statement before the Magistrate stating that she would not like to continue with this criminal proceeding.

8. In view of the above discussions, I quash the impugned proceeding.

9. With these observations and directions, the revisional application and the connected application are disposed of.

10. Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)